

**MEMORANDUM ENDORSED**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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United States of America, and States of the  
United States, *ex rel.* Patrick Donohue,

Plaintiffs,

-against-

RICHARD CARRANZA, in his official capacity  
as the former Chancellor of New York City  
Department of Education, *et al.*

Defendants.

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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/10/2023
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Case No. 20-cv-05396 (GHW)(SDA)

**NOTICE AND STIPULATION  
OF VOLUNTARY PARTIAL  
DISMISSAL**

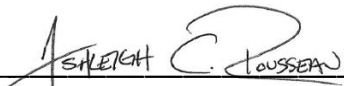
IT IS HEREBY STIPULATED AND AGREED by and between the respective undersigned counsel, and attorneys of record for, Plaintiff-Relator, PATRICK DONOHUE, and Defendants SOMERVILLE PUBLIC SCHOOL DISTRICT and its Superintendent in her official capacity, MARY SKIPPER (collectively, "Somerville Defendants") (Plaintiff-Relator and Somerville Defendants collectively, the "Parties"), that Plaintiff-Relator hereby voluntarily dismisses WITH PREJUDICE the claims brought under Massachusetts State law, specifically, Mass. General Laws Ch. 12 §5B in the above-captioned action, enumerated as the Eleventh Cause of Action in the Second Amended Complaint [ECF No. 19] against Somerville Defendants pursuant to Federal Rules of Civil Procedure 41(a)(1)(A).

The Parties agree and acknowledge that pursuant to this Court's Order of March 3, 2021 [ECF No. 5, 231], voluntary dismissal of the Massachusetts State law claims brought under Mass. General Laws Ch. 12 §5B by Plaintiff-Relator against Somerville Defendants is subject to approval by this Court.

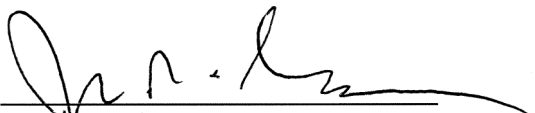
Accordingly, the Parties hereby respectfully request that this Court approve the dismissal of the claims brought under Massachusetts State law, specifically Mass. General Laws Ch. 12 §5B, by Plaintiff-Relator WITH PREJUDICE against Somerville Defendants in the above-captioned action, as set forth in the Eleventh cause of action of the Second Amended Complaint [ECF No. 19], leaving the federal FCA claims to be further litigated by the Parties.

Date: January 13, 2023  
New York, New York

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By:   
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By:   
Joshua Coleman, Esq.  
*Attorneys for Somerville Defendants*

**SO ORDERED**

Dated:

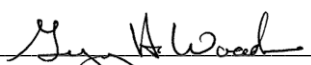
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HONORABLE GREGORY H. WOODS  
UNITED STATES DISTRICT JUDGE

Plaintiff-Relator, Patrick Donohue, and Defendants Somerville Public School District and Mary Skipper have stipulated to the dismissal of Plaintiff's claims brought under Massachusetts State law with prejudice.  
SO ORDERED.

Dated: February 10, 2023  
New York, New York

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GREGORY H. WOODS  
United States District Judge